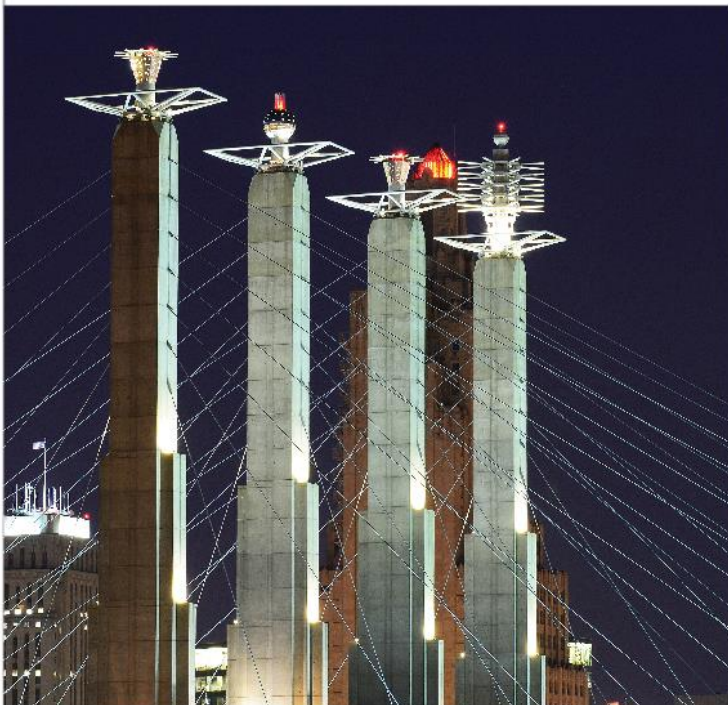


# OFFICE OF THE CITY AUDITOR PERFORMANCE AUDIT

September 2018

City Should Incorporate  
Previously  
Recommended Contract  
Selection Practices into  
Written Procedures



CITY OF  
KANSAS CITY,  
MISSOURI

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## Office of the City Auditor

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September 24, 2018

Honorable Mayor and Members of the City Council:

This audit of the city's contract selection policies and procedures focuses on whether contract selection practices previously recommended by the City Auditor's Office have been incorporated into citywide, written policies and procedures. The audit did not evaluate whether the city follows these practices, but instead whether management communicated their expectations in writing to employees. Having written, citywide contract selection procedures clearly tells vendors and the public what to expect from the city. Additionally, having city contracting selection processes in writing can encourage consistency in actions, and serves as a training and reference guide for employees, and provides continuity when employee turnover occurs.

By reviewing city code, policies, and procedures, and discussing procedures with city staff responsible for updating procurement procedures, we determined, the city has not fully incorporated into citywide, written procedures most of the contract selection practices we recommended. The following table shows the number of contract selection practices, by category, recommended by the city auditor that were incorporated, partially incorporated, or not incorporated into the city's written procedures.

Status of Written Procedures for Previously Recommended Contract Selection Practices by Category

Contract Selection Practice Category	Incorporated in Citywide, Written Procedures?		
	Yes	Partially	No
Ethics and Transparency-Focused	1	3	1
Contract Solicitation	2	4	2
Selection Committee	0	1	3
Solicitation Review and Negotiation	1	1	3
Total	4	9	9

We make recommendations to fully incorporate the remaining contract selection audit recommendations into the city's written procedures. The recommended practices help ensure public trust; detect deviations from fair and equal treatment; encourage a wide pool of responsive bidders/proposers that are confident they will be treated fairly; ensure that selection committee members are knowledgeable and consistent in their evaluation; ensure documentation properly supports contracting decisions; and ensure contract negotiators are

knowledgeable of the city's needs, well-organized, and empowered to secure the best deal for the city.

The draft report was sent to the city manager on August 29<sup>th</sup>, 2018 for review and comment. Management's response is appended. We would like to thank the manager of procurement services and staff from the Law Department for their assistance and cooperation during this audit. The audit team for this project was Joyce Patton and Sue Polys.



Douglas Jones  
City Auditor

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# City Should Incorporate Previously Recommended Contract Selection Practices into Written Procedures

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## Introduction

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### Objectives

We conducted this audit of the city's contract selection policies and procedures under the authority of Article II, Section 216 of the Charter of Kansas City, Missouri, which establishes the Office of the City Auditor and outlines the city auditor's primary duties.

A performance audit provides "findings or conclusions based on an evaluation of sufficient, appropriate evidence against criteria. Performance audits provide objective analysis to assist management and those charged with governance and oversight in using the information to improve program performance and operations, reduce costs, facilitate decision making by parties with responsibility to oversee or initiate corrective action, and contribute to public accountability."<sup>1</sup>

This report is designed to answer the following question:

- Do the city's written policies and procedures incorporate previous City Auditor's Office audit recommendations related to the contract selection process?

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### Scope and Methodology

Our review focuses on whether contract selection practices previously recommended by the City Auditor's Office have been incorporated into citywide written policies and procedures. We did not audit whether staff applies these practices when they perform contracting duties for the city. Despite the fact that some recommended practices are not in written procedures, staff might be following the practices.

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<sup>1</sup> Comptroller General of the United States, *Government Auditing Standards* (Washington, DC: U.S. Government Printing Office, 2011), p. 17.

## *City Should Incorporate Previously Recommended Contract Selection Practices into Written Procedures*

Our audit methods included:

- Reviewing past City Auditor's Office audits to identify recommendations pertaining to the city's contract selection process.
- Reviewing the Audit Report Tracking System (ARTS) reports from management to determine whether and how management reports implementing the contract selection recommendations.
- Reviewing the Code of Ordinances, Administrative Regulations,<sup>2</sup> Manual of Instructions,<sup>3</sup> and Contract Central<sup>4</sup> to determine whether the city incorporated the recommendations in its written procedures.
- Determining whether the contract selection practices recommended in previous audits have been incorporated, partially incorporated, or not incorporated into the city's written procedures based on the following criteria:

### Incorporated

- Practice was found in the city's Code of Ordinances, Administrative Regulations, Manual of Instructions, or procurement manual<sup>5</sup> AND the procedure applied to all contract types that might involve solicitations; or
- Practice was found in Contract Central's standard instructions, checklists, and/or templates for all contract types that might involve solicitations.

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<sup>2</sup> Administrative Regulations are the city's management principals, standards, and procedures and instructions required to implement or document policies, procedures, and responsibilities across department lines, applicable to the city as a whole, and affecting the general public.

<sup>3</sup> The Manual of Instructions consists of instructions to departments about operations that are the responsibility of the Finance Department.

<sup>4</sup> Contract Central is a database of standard contract templates, checklists, and the Procurement Procedures Manual. All city departments and staff preparing contracts on behalf of the city should follow its procedures.

<sup>5</sup> *City of Kansas City Procurement Procedures Manual*, November 2016, Updated June 2017.



Partially incorporated

- Practice was found in the city's Code of Ordinances, Administrative Regulations, Manual of Instructions, or procurement manual, but the procedure did not pertain to all contract types that may involve solicitations; or
- Practice was found in some Contract Central instructions, checklists, and/or templates for contract types that might involve solicitation, but not all.

Not incorporated

- Practice was not incorporated into the city's Code of Ordinances, Administrative Regulations, Manual of Instructions, procurement manual, or Contract Central instructions, checklist, and/or templates.
- Confirming with staff from the General Services and Law departments which recommended practices were not included in citywide, written procedures.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. No information was omitted from this report because it was deemed privileged or confidential.

In conducting our audit work, we identified an inconsistency in language between the Code of Ordinances and the city procurement manual. We communicated this information to the city manager in a separate memorandum.

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## Background

### Contract Selection Audit Recommendations

Three contract selection audits conducted by the City Auditor's Office resulted in recommendations to strengthen the city's

contract selection practices.<sup>6</sup> The recommendations were directed towards addressing findings of a process that exposed the city to claims of bias; a process that caused confusion among the selection committee, marring the credibility of the selection process; and a process that was conducted poorly at all stages calling into question the integrity of the selection process.

### **Contract Selection Components**

The city's contract selection process may include choosing a contract solicitation type, developing a written solicitation, communicating the availability of the solicitation to qualified entities, reviewing solicitation responses, and awarding the contract to the lowest and best responder. City code and the city procurement manual define the type of solicitation required depending on the type of contract and/or the dollar value of the contract. Contracts solicited by the city include concession, construction, design professional, design-build, facility repair and maintenance, general services, professional, specialized or technical services, and term-supply contracts.

### **Contract Solicitation Types**

The city's contract solicitation types include:

*Invitation for bids (IFB)* - a written invitation by the city to a prospective contractor to submit an offer or bid to enter into a contract to perform work described pursuant to a competitive bidding process.

*Request for proposals (RFP)* - a written invitation by the city to a prospective contractor to submit an offer subject to subsequent negotiations and subject to subsequent additions, deletions, modifications to the request for proposal specifications or any subsequent contract.

*Request for qualifications (RFQ)* - a written invitation by the city to a prospective contractor to submit professional qualifications in order to be considered for a contract.

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<sup>6</sup> *KCI News and Gift Concessionaire Selection Process Audit*, Office of the City Auditor, Kansas City, Missouri, December 2001; *Arena Construction Manager Selection*, Office of the City Auditor, Kansas City, Missouri, January 2005; and *The City Manager Needs to Strengthen RFP Contracting Practices*, Office of the City Auditor, Kansas City, Missouri, January 2008.

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## **Findings and Recommendations**

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### **City Should Incorporate Previously Recommended Contract Selection Practices into Written Procedures**

The city did not fully incorporate into written procedures most of the contract selection practices recommended by the City Auditor's Office in previous audits. We reviewed the status of contract selection related recommendations made in three previous audits. Based on the problems identified in these original audits, the City Auditor's Office recommended implementing a number of recommended contracting practices in order to strengthen the city's contracting culture and practices.

Incorporating recommended contracting selection practices into written procedures can encourage consistency in actions, serves as a training and reference guide for employees, and provides continuity when employee turnover occurs. The contract selection audit recommendations we reviewed focused on four areas:

- Ethics and transparency;
- Contract solicitation;
- Contract selection committees; and
- Solicitation review and negotiation.

#### **Most Ethics and Transparency-Focused Selection Practices Not Fully Incorporated in Written Procedures**

The city fully incorporated into written procedures only one of five ethics and transparency-focused contract selection practices recommended by the City Auditor's Office. (See Exhibit 1.) Contracting practices that emphasize ethics and transparency help build public and vendor trust and assist in ensuring that any deviations from fair and equal treatment are detected early, while making such deviation less likely to occur. Because ethics and transparency are so important to contract selection, the procedures should be written.

*City Should Incorporate Previously Recommended Contract Selection Practices into Written Procedures*

Exhibit 1. Status of Written Procedures for Previously Recommended Ethics and Transparency-Focused Selection Practices

Recommendation	Incorporated in Citywide, Written Procedures?		
	Yes	Partially	No
Provide ethics training for city staff involved in contracting, including members of selection committees.	●		
Maintain the confidentiality of information obtained or developed in connection with the selection process. <sup>7</sup>		●	
Include individuals on the selection committee who will discharge their duties impartially and are free from impairments. <sup>8</sup>		●	
Treat all firms equally and avoid the appearance of favoritism. <sup>9</sup>		●	
Regulate contacts between proposers, staff, and elected officials.			●

Source: Code of Ordinances, Manual of Instructions, Administrative Regulations, *City of Kansas City Procurement Procedures Manual*, November 2016, Updated June 2017, and Contract Central.

These audit recommendations from the City Auditor's Office were meant to address identified lapses in ethical and transparent behavior in the city contract selection process. Some findings from the audits included:

- A councilmember and staff actions creating the appearance of bias during the RFP selection process.
- Some members of a selection committee maintained personal contacts with vendors while another member exhibited unprofessional behavior during the process.
- Several staff members not involved in the selection committee communicated with proposers during the process.
- An individual councilmember contacted and tried to direct city staff during the selection and negotiation phases of the process.

Including the ethics and transparency practices in Exhibit 1 in the city's written procedures, should help ensure consistent practices, and help prevent these situations from happening again.

<sup>7</sup> Written procedures do not require the selection committee members from *outside* city government to maintain confidentiality.

<sup>8</sup> Written procedures do not require the selection committee members from *outside* city government to perform duties impartially.

<sup>9</sup> Written procedures do not address that city staff and those outside city government who are participating in city contracting activities should avoid the appearance of favoritism.

Recommendation: To promote vendor trust and help ensure that deviations from fair and equal treatment are detected early, the city manager should incorporate the following recommended practices into the city's written contracting procedures:

- Selection committee members from outside city government should maintain the confidentiality of information obtained or developed in connection with the selection process.
- Selection committee members from outside city government should discharge their duties impartially and free from impairments.
- City staff and those outside city government who are participating in city contracting activities should avoid the appearance of favoritism.
- Regulate contacts between proposers and city staff.
- Instruct city staff on appropriate interactions with city council members during the contract selection process.

**Most Contract Solicitation Practices Not Fully Incorporated in Written Procedures**

The city fully incorporated only two of eight contract solicitation practices into its written, citywide contracting procedures. (See Exhibit 2.) Incorporating these solicitation practices into written procedures should help encourage more proposers/bidders who are responsive to the city's contracting needs and help assure responders that they are on a level playing field with other proposers/bidders as all of the rules and criteria are transparent and necessary.

*City Should Incorporate Previously Recommended Contract Selection Practices into Written Procedures*

Exhibit 2. Status of Written Procedures for Previously Recommended Contract Solicitation Practices

Recommendation	Incorporated in Citywide, Written Procedures?		
	Yes	Partially	No
Make a public announcement of the solicitation in a manner that reasonably ensures those who might be qualified to compete can learn of the solicitation and respond to it.	●		
Write solicitations that are sufficiently clear to permit the preparation and evaluation of proposals on a common basis.	●		
Solicitation should include the nature of the procurement and directions on how to proceed, including how to obtain supplemental information. <sup>10</sup>		●	
Do not impose unnecessary limitations, terms, or restrictions that do not reasonably pertain to your needs. <sup>11</sup>		●	
Provide accurate and timely communication of the selection process to proposers. <sup>12</sup>		●	
Disclose evaluation criteria and weights. If criteria are modified, give vendors the opportunity to modify their proposals. <sup>13</sup>		●	
Allow adequate time for vendors to prepare a well-researched proposal.			●
Develop solicitation proposal procedures for construction projects using the construction manager/general contractor at risk method and document the procedures in Contract Central.			●

Source: Code of Ordinances, Manual of Instructions, Administrative Regulations, *City of Kansas City Procurement Procedures Manual*, November 2016, Updated June 2017 and Contract Central.

These audit recommendations from the City Auditor's Office were meant to address questionable solicitation practices used by the city. Findings from the audits included:

- The city initially sought proposals from vendors interested in providing the city with copier machines for a one-year contract. The one-year term was an unnecessary limitation and could have discouraged potential vendors and increased the cost to the city. A one-year term could leave vendors responsible for copier machines if the city cancelled the contract after one year and make it more difficult for vendors to get financing.

<sup>10</sup> Written procedures do not address all applicable types of contracts.

<sup>11</sup> Written procedures do not address all applicable types of contracts.

<sup>12</sup> Written procedures do not address all applicable types of contracts or proposers being notified of changes made to the selection process once the proposals are turned in.

<sup>13</sup> Written procedures do not require concession solicitations to include criteria and written procedures for most of the contract types do not require solicitations to disclose evaluation criteria weights. In addition, written procedures do not address proposers revising their proposals should criteria be revised.

- The city did not allow adequate time to respond to the copier RFP. Recommended practices suggest giving vendors six to eight weeks to respond to contracts that require personnel and equipment purchase planning; the city gave vendors 14 days. By not providing adequate time, the city is discouraging RFP responses and making it more difficult for proposers to provide a thorough response.

Including recommended solicitation practices into the city's written procedures and ultimately city practices should help prevent these situations from happening in the future.

Recommendation: To encourage a wide pool of responsive proposers that have confidence in the city's process, the city manager should incorporate the following recommended practices into the city's written procedures:

- The nature of the procurement and directions on how to proceed, including how to obtain supplemental information should be incorporated into the solicitation templates for concession and term-supply contracts or a procedure applicable to all contract types should be added to the city procurement manual.
- Instructions not to impose unnecessary limitations, terms, or restrictions to contract solicitations that do not pertain to the city's needs should be incorporated into the solicitation templates for all contract types or a procedure applicable to all contract types should be added to the city procurement manual.
- Notify proposers and bidders of changes made to the selection process once the proposals/bids are turned in.
- Disclose to proposers evaluation criteria and weights in the solicitation and provide the opportunity to modify proposals if criteria are modified.
- Allow adequate time for bidders and proposers to prepare a well-researched bid or proposal.
- Develop procedures for the construction manager/general contractor at risk method and document the procedures in Contract Central.

### **Most Contract Selection Committee Practices Not Incorporated into Written Procedures**

The city only partially incorporated one of four contract selection committee recommendations into its written, citywide contracting procedures. (See Exhibit 3.) The city's procurement manager and the department's project manager are likely the most knowledgeable about the solicitation and therefore the best equipped to choose knowledgeable selection committee members. Choosing knowledgeable and trained selection committee members who are required to attend all evaluation meetings and oral presentations helps ensure that the members understand the city's criteria they are being asked to evaluate and perform the evaluation using the same information.

**Exhibit 3. Status of Written Procedures for Previously Recommended Contract Selection Committee Practices**

Recommendation	Incorporated in Citywide, Written Procedures		
	Yes	Partially	No
Have the purchasing department or project manager appoint the selection committee members. <sup>14</sup>		●	
Choose selection committee members with knowledge and experience in the service area, and with finance or budget responsibilities.			●
Train the selection committee in their roles and responsibilities. Include a review of the solicitation and the rules governing the evaluation process, and an explanation of the scoring procedures and how to complete the evaluation forms.			●
Require all voting members of the selection committee to attend all evaluation meetings and oral presentations.			●

Source: Code of Ordinances, Manual of Instructions, Administrative Regulations, *City of Kansas City Procurement Procedures Manual*, November 2016, Updated June 2017, and Contract Central.

These audit recommendations from the City Auditor's Office were meant to address weak selection committee practices used by the city. Findings from the audits included:

- The city's selection committee for the document management RFP lacked duplicating or mailroom expertise even though the RFP covered the outsourcing of those functions. Some committee members did not know why they were on the committee or attend all of the vendor presentations that were part of the selection process.
- Committee members did not receive formal training on their responsibilities or on how to evaluate the proposals.

<sup>14</sup> Written procedures do not address all applicable types of contracts.



Including selection committee practices identified in Exhibit 3 into the city's written procedures and ultimately city practices should help prevent these situations from happening in the future.

Recommendation: To help ensure selection committee members are knowledgeable and consistently evaluating proposals and qualifications, the city manager should incorporate the following recommended practices into the city's written procedures:

- Have the city procurement manager or project manager appoint the selection committee members for concession solicitations.
- Appoint selection committee members with knowledge and experience in the service area and with finance and budget responsibilities.
- Train selection committee members in their roles and responsibilities including: a review of the solicitation; the rules governing the evaluation process; an explanation of the scoring procedures; and how to complete the evaluation forms.
- Require all voting members of selection committees to attend all evaluation meetings and oral presentations.

#### **Most Solicitation Review and Negotiation Practices Not Fully Incorporated in Written Procedures**

The city fully incorporated only one of five solicitation review and negotiations contract selection practices into written procedures. (See Exhibit 4.) By maintaining evaluation forms as part of the selection documentation, decisions will be supported and transparent if there are subsequent reviews and challenges to the decision. Incorporating recommended negotiation practices into the city's written procedures should help ensure a well-organized negotiation with sufficient time and a negotiator with knowledge of the city's needs and empowered to secure the best deal for the city.

*City Should Incorporate Previously Recommended Contract Selection Practices into Written Procedures*

Exhibit 4. Status of Written Procedures for Previously Recommended Solicitation Review and Negotiation Practices

Recommendation	Incorporated in Citywide, Written Procedures		
	Yes	Partially	No
Evaluate proposals against published criteria and price only.	●		
Document award decisions and maintain supporting materials. <sup>15</sup>		●	
Use a prepared, principal negotiator supported by other team members to conduct negotiations.			●
Schedule negotiations to allow for unhurried and orderly progress.			●
During negotiations use the competition to remind the proposer about the priority the organization places on cost.			●

Source: Code of Ordinances, Manual of Instructions, Administrative Regulations, *City of Kansas City Procurement Procedures Manual*, November 2016, Updated June 2017, and Contract Central.

These audit recommendations from the City Auditor's Office were meant to address weak solicitation documentation practices used by the city and the lack of formal city negotiation practices. Findings from the audits included:

- One selection committee member for the document management RFP contract refused to turn in their score sheet after the initial round of interviews. Then two selection committee members did not tabulate or sign their score sheets after a second round of interviews.
- The city does not have formal written negotiating practices to help ensure city staff negotiating contracts are following industry recommended practices.

Recommendation: For contract selection decisions to be supported and transparent and to help the city negotiate the best deal, the city manager should incorporate the following recommended practices into the city's written procedures:

- Include selection committee evaluation forms be retained in documentation of contract awards.
- Use a prepared principal negotiator supported by other team members to conduct negotiations.
- Schedule negotiations to allow for unhurried and orderly progress.
- Instruct staff to use the competition to remind the proposer of the emphasis the city places on cost during negotiations.

<sup>15</sup> Written procedures do not require maintaining evaluation forms as part of the contract file.

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## Recommendations

### Ethics and Transparency-Focused Selection Practices

1. The city manager should incorporate into the city's written procedures that selection committee members from outside city government maintain the confidentiality of information obtained or developed in connection with the selection process.
2. The city manager should incorporate into the city's written procedures that selection committee members from outside city government discharge their duties impartially and free from impairments.
3. The city manager should incorporate into the city's written procedures that city staff and those outside city government who are participating in city contracting activities avoid the appearance of favoritism.
4. The city manager should incorporate into the city's written procedures language to regulate contacts between proposers and city staff.
5. The city manager should incorporate into the city's written procedures instruction for city staff on appropriate interactions with city council members during the contract selection process.

### Contract Solicitation Practices

6. The city manager should incorporate into the solicitation templates for concession and term-supply contracts or add a procedure applicable to all contract types to the city procurement manual that solicitations include the nature of the procurement and directions on how to proceed, including how to obtain supplemental information.
7. The city manager should incorporate into the solicitation templates for all contract types or add a procedure applicable to all contract types to the city procurement manual that solicitations not impose unnecessary limitations, terms, or restrictions that do not pertain to the city's needs.

*City Should Incorporate Previously Recommended Contract Selection Practices into Written Procedures*

8. The city manager should incorporate into the city's written procedures that city staff notify proposers and bidders of changes made to the selection process once the proposals/bids are turned in.
9. The city manager should incorporate into the city's written procedures that evaluation criteria and weights be disclosed to proposers and proposers be given the opportunity to modify their proposals if criteria are modified.
10. The city manager should incorporate into the city's written procedures that adequate time be allowed for bidders and proposers to prepare a well-researched bid or proposal.
11. The city manager should incorporate the construction manager/general contractor at risk method into the city's written procedures including instructions, templates, and checklists in Contract Central.

Contract Selection Committee Practices

12. The city manager should incorporate into the city's written procedures that the manager of procurement services or the project manager appoint the selection committee members for concession solicitations.
13. The city manager should incorporate into the city's written procedures that the city appoint selection committee members with knowledge and experience in the service area and members with finance and budget responsibilities.
14. The city manager should incorporate into the city's written procedures that selection committee members be trained in their roles and responsibilities including: a review of the solicitation; the rules governing the evaluation process; an explanation of the scoring procedures; and how to complete the evaluation forms.
15. The city manager should incorporate into the city's written procedures that all voting members of selection committees attend all evaluation meetings and oral presentations.

Solicitation Review and Negotiation Practices

16. The city manager should incorporate into the city's written procedures that selection evaluation forms be retained in documentation of contract awards.

17. The city manager should incorporate into the city's written procedures that a principal negotiator supported by other team members conduct negotiations.
18. The city manager should incorporate into the city's written procedures that negotiations be scheduled to allow for unhurried and orderly progress.
19. The city manager should incorporate into the city's written procedures that the competition be used to remind the proposer of the emphasis the city places on cost during negotiations.

*City Should Incorporate Previously Recommended Contract Selection Practices into Written Procedures*

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## **Appendix A**

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### **Management's Response**

*City Should Incorporate Previously Recommended Contract Selection Practices into Written Procedures*





City of Kansas City, Missouri  
 PROCUREMENT SERVICES DIVISION  
 1st Floor, Room 102W, City Hall  
 414 East 12th Street  
 Kansas City, 64106-2793  
 (816) 513-0851 / Fax: (816) 513-1156

## INTER-DEPARTMENTAL MEMO

RECEIVED

DATE: September 20, 2018

TO: Douglas Jones, City Auditor

SEP 20 2018

FROM: Cedric Rowan, Manager of Procurement Services Division

CITY AUDITOR'S OFFICE

SUBJECT: Response to Performance Audit: *City Should Incorporate Previously Recommended Contract Selection Practices Into Written Procedures*

1. *The City Manager should incorporate into the City's written procedures that selection committee members from outside city government maintain the confidentiality of information obtained or developed in connection with the selection process.*

**Agree.** We are currently doing this and we will put our current practice in writing.

2. *The City Manager should incorporate into the City's written procedures that selection committee members from outside city government discharge their duties impartially and free from impairments.*

**Agree.** We are currently doing this and we will put our current practice in writing.

3. *The City Manager should incorporate into the City's written procedures that city staff and those outside city government who are participating in city contracting activities avoid the appearance of favoritism.*

**Agree.** We are currently doing this and we will put our current practice in writing.

4. *The City Manager should incorporate into the City's written procedures language to regulate contacts between proposers and city staff.*

**Agree.** We are currently doing this and we will put our current practice in writing.

5. *The City Manager should incorporate into the City's written procedures instruction for city staff on appropriate interactions with city council members during the contract selection process.*

**Agree.** We will implement the recommendations by putting same into our written procedures.

6. *The City Manager should incorporate into the solicitation templates for concession and term-supply contracts or add a procedure applicable to all contract types to the City procurement manual that solicitations include the nature of the procurement and directions on how to proceed, including how to obtain supplemental information.*

**Agree.** We will implement the recommendations by putting same into our written procedures.

7. *The City Manager should incorporate into the solicitation templates for all contract types or add a procedure applicable to all contract types to the City procurement manual that solicitations not impose unnecessary limitations, terms, or restrictions that do not pertain to the City's needs.*

**Agree.** We are currently doing this and we will put our current practice in writing.

8. *The City Manager should incorporate into the City's written procedures that city staff notify proposers and bidders of changes made to the selection process once the proposals/bids are turned in.*

**Agree.** We are currently doing this and we will put our current practice in writing.

9. *The City Manager should incorporate into the City's written procedures that evaluation criteria and weights be disclosed to proposers and proposers be given the opportunity to modify their proposals if criteria are modified.*

**Agree.** We are currently doing this and we will put our current practice in writing.

10. *The City Manager should incorporate into the City's written procedures that adequate time be allowed for bidders and proposers to prepare a well-researched bid or proposal.*

**Agree.** We are currently doing this and we will put our current practice in writing.

11. *The City Manager should incorporate the construction manager/general contractor at risk method into the City's written procedures including instructions, templates, and checklists in Contract Central.*

**Agree.** We will implement the recommendations by putting same into our written procedures.

12. *The City Manager should incorporate into the City's written procedures that the Manager of Procurement Services or the Project Manager appoint the selection committee members for concession solicitations.*

**Agree.** We are currently doing this and we will put our current practice in writing.

13. *The City Manager should incorporate into the City's written procedures that the City appoint selection committee members with knowledge and experience in the service area and members with finance and budget responsibilities.*

**Agree.** We are currently doing this and we will put our current practice in writing.

14. *The City Manager should incorporate into the City's written procedures that selection committee members be trained in their roles and responsibilities including: a review of the solicitation; the rules governing the evaluation process; an explanation of the scoring procedures; and how to complete the evaluation forms.*

**Agree.** We are currently doing this and we will put our current practice in writing.

15. *The City Manager should incorporate into the City's written procedures that all voting members of selection committees attend all evaluation meetings and oral presentations.*

**Agree.** We are currently doing this and we will put our current practice in writing.

16. *The City Manager should incorporate into the City's written procedures that selection evaluation forms be retained in documentation of contract awards.*

**Agree.** We will implement the recommendations by putting same into our written procedures.

17. *The City Manager should incorporate into the City's written procedures that a principal negotiator supported by other team members conduct negotiations.*

**Agree.** We are currently doing this and we will put our current practice in writing.

18. *The City Manager should incorporate into the City's written procedures that negotiations be scheduled to allow for unhurried and orderly progress.*

**Agree.** We are currently doing this and we will put our current practice in writing.

19. *The City Manager should incorporate into the City's written procedures that the competition be used to remind the proposer of the emphasis the City places on cost during negotiations.*

**Agree.** We are currently doing this and we will put our current practice in writing.

**cc: Troy M. Schulte, City Manager**